

[1st August 2001]

RAJYA SABHA

**NHRC, concern on custodial deaths and deteriorating conditions in jails**

1122. SHRI C. M. IBRAHIM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission has expressed concern about the increasing custodial deaths in the country, the deteriorating conditions in Jails and also demanded a review of the Jail Code;

(b) if so, Government's response thereto for review of the conditions in Jails and to take effective measures to prevent custodial deaths; and

(c) the number of custodial deaths during 1999-2000, 2000-2001 and the current year, so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO):

(a) the National Human Rights Commission (NHRC), expressed its concern about the conditions prevailing in the jails in the country and observed that there is a need for the replacement of the Indian Prison Act of 1894, in its Annual Reports for the year 1996-97 and 1997-98. The NHRC has also issued instructions to the States/Union Territories to inform the Commission of custodial deaths, within 24 hours of its occurrence either in police or judicial custody.

(b) 'Prisons' is a State subject and it is for the State Governments to take suitable measures, including legislative changes, for improving jail conditions and prevent custodial deaths. The Central Government provides financial assistance to the State Government/Union Territories in order to supplement the efforts of the State Governments to improve the condition of prisons and prisoners. The Government of India has written to the State Government/UTs about the need for taking effective measures for prevention of violation of human rights, particularly, the incidents of custodial crimes and the need for taking prompt and deterrent action against persons found guilty of human rights violations.

(c) The number of custodial deaths in different States/UTs reported to the NHRC in the years 1999-2000, 2000-2001 and in the current year upto 30.6.2001 is 1093, 1037 and 241 respectively.

**Pakistan's attempt to disrupt barbed wire fencing along border**

1123. SHRI PARMESHWAR KUMAR AGARWALLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Pakistan made an abortive attempt to disrupt barbed wire fencing on the Indo-Pak border in the Samba sector of Jammu, currently being carried by the BSF;

(b) if so, the details thereof; and

(c) what action Government have taken to ensure that the work of barbed wire fencing on the international border is completed as per schedule?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) to (c) Yes, Sir, Several attempts have been made by Pakistan to disrupt and damage the fencing work being undertaken on Jammu International Border. In three such cases, Pak intruders damaged the angle iron pickets by using explosive devices. Pak forces are also resorting to intermittent fire on BSF troops employed on the task of construction/guarding of the fence.

Government has taken several steps including augmentation of troops at Border Out Posts, laying additional ambushes, use of night vision devices, undertaking mobile patrolling, laying of depth nakas by Police and Village Defence Committees etc. to ensure that fencing is done without disruption.